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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 JONATHON LEON TOLIVER,

12 Defendant.

No. 2:06-CR-00234-RHW-GWF-2

**ORDER GRANTING  
CONTINUATION**

13 Before the Court is the parties' Stipulation to Continue Hearing and Joint  
14 Statement as to Post Remand Status. ECF No. 800.

15 The parties jointly request a continuance of at least thirty days. *Id.* at 4. The  
16 continuance is requested because the parties are waiting for a decision from the  
17 Supreme Court in the case of *Sessions v. Dimaya*, No. 15-1498. *Id.* at 2. The  
18 Supreme Court heard oral arguments on October 2, 2017, but the decision is still  
19 pending. This case is directly relevant to determining the validity of Mr. Toliver's  
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1 challenge of his 18 U.S.C. § 924(c) convictions. Additionally, the parties request  
2 additional time to attempt to negotiate a settlement. *Id.* at 1, 3.

3 The Court finds good reason to **GRANT** this request. In consideration of the  
4 statements presented in the stipulation and its own docket, the proceedings will be  
5 **CONTINUED** until January 17, 2018.

6 Accordingly, **IT IS HEREBY ORDERED:**

7 1. The Parties' Stipulation to Continue Hearing, **ECF No. 800**, is

8 **GRANTED.**

9 2. The Parties shall submit a Joint Status Report by **January 17, 2018.**

10 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
11 Order and forward copies to counsel.

12 **DATED** this 22nd day of December, 2017.

13 s/Robert H. Whaley  
14 ROBERT H. WHALEY  
Senior United States District Judge